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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,882	09/15/2006	Siegfried Ansorge	P29677	4700

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GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER	
WANG, SHENGJUN	
ART UNIT	PAPER NUMBER
1617	

NOTIFICATION DATE	DELIVERY MODE
06/04/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
pto@gbpatent.com

Office Action Summary	Application No.	Applicant(s)	
	10/575,882	ANSORGE ET AL.	
	Examiner	Art Unit	
	Shengjun Wang	1617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 77-96 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) 77-96 are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 77-84, drawn to a pharmaceutical or cosmetic composition and a method of treating a skin or mucosa diseases comprising administering the composition comprising the compounds defined in claims 77 and 78;

Group II, claim(s) 77-84, drawn to a pharmaceutical or cosmetic composition and a method of treating acute neuronal diseases comprising administering a composition comprising the compounds defined in claims 77 and 78;

Group III, claim(s) 77-84, drawn to a pharmaceutical or cosmetic composition and a method of treating a chronic neuronal disease comprising administering a composition comprising the compounds defined in claims 77 and 78;

Group IV, claim(s) 77-84, drawn to a pharmaceutical or cosmetic composition and a method of treating a chronic obstructive pulmonal diseases comprising administering a composition comprising the compounds defined in claims 77 and 78;

Group V, claim(s) 77-84, drawn to a pharmaceutical or cosmetic composition and a method of treating prostata carcinoma and other tumors, and metastases comprising administering a composition comprising the compounds defined in claims 77 and 78;

Group VI, claim(s) 77-84, drawn to a pharmaceutical or cosmetic composition and a method of treating Heavy (severe?) acute respiratory Syndrome (SARS) comprising administering a composition comprising the compounds defined in claims 77 and 78;

Group VII, claim(s) 77-84, drawn to a pharmaceutical or cosmetic composition and a method of treating a sepsis and sepsis-like conditions comprising administering a composition comprising the compounds defined in claims 77 and 78;

Group VIII, claim(s) 85-96, drawn to a stent coated with a composition comprising a compound defined in claims 77 and 78 and a method of using the same.

Group IX, claim(s) 85, 86, 88 and 89, drawn to a method of treating atherosclerosis, arterial inflammation, reperfusion syndrome and stent restenosis comprising administering a composition containing a compound defined in claim 77 and 78, wherein the method is other than those defined in group VIII.

Group X, claim(s) 91-96, drawn to a method of preventing or treating an inflammation reaction at, or caused by, a medical device implanted into an organism, wherein the method is other than those defined in group VIII and group IX.

Each and every group as set forth above are further restricted into 14 groups as following:

A) wherein the compound employed is one of those defined by formula A1;
B) wherein the compound employed is one of those defined by formula A2, excluding any compound encompassed by formula A1;
C) wherein the compound employed is one of those defined by formula A3, excluding any compound encompassed by formulas A1 and A2;
D) wherein the compound employed is one of those defined by formula A4, excluding any compound encompassed by formulas A1 to A3;
E) wherein the compound employed is one of those defined by formula A5, excluding any compound encompassed by formulas A1 to A4;
F) wherein the compound employed is one of those defined by formula A6, excluding any compound encompassed by formulas A1 to A5;
G) wherein the compound employed is one of those defined by formula A7, excluding any compound encompassed by formulas A1 to A6;
H) wherein the compound employed is one of those defined by formula A8, excluding any compound encompassed by formulas A1 to A6;
I) wherein the compound employed is one of those defined by formula A9, excluding any compound encompassed by formulas A1 to A8;
J) wherein the compound employed is one of those defined by formula A10, excluding any compound encompassed by formulas A1 to A9;
K) wherein the compound employed is one of those defined by formula A11, excluding any compound encompassed by formulas A1 to A10;
L) wherein the compound employed is one of those defined by formula A12, excluding any compound encompassed by formulas A1 to A11;
M) wherein the compound employed is one of those defined by formula A13, excluding any compound encompassed by formulas A1 to A12;
N) wherein the compound employed is one of those defined by formula A14, excluding any compound encompassed by formulas A1 to A13.

2. The inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the diseases in groups I to X are distinct each from the others as they have distinct underline etiologies and symptoms, the compounds in groups A-N are structurally distinct each from the others, and one of ordinary skill in the art would have reasonably expected that they possess distinct chemical, physical, and biological properties. They therefore lack a core technical feature. *To be fully responsive to this restriction requirement, applicants are require to elect one group from I-X* ***and*** *one group from A-N.*

3. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Various compounds encompassed thereby

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after

the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

4. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: each of the inventions encompasses compounds with structurally distinct moieties.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shengjun Wang whose telephone number is (571) 272-0632. The examiner can normally be reached on Monday to Friday from 7:00 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan, can be reached on (571) 272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shengjun Wang/
Primary Examiner, Art Unit 1617